



Sen. William R. Haine

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09400HB5348sam001

LRB094 15586 LCT 57122 a

1 AMENDMENT TO HOUSE BILL 5348

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5348 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Burn  
5 Injury Reporting Act.

6 Section 5. Burn injury reporting.

7 (a) Every case of a burn injury treated in a hospital as  
8 described in this Act may be reported to the Office of the  
9 State Fire Marshal. The hospital's administrator, manager,  
10 superintendent, or his or her designee deciding to report under  
11 this Act shall make an oral report of every burn injury in a  
12 timely manner as soon as treatment permits, except as provided  
13 in subsection (c) of this Section, that meets one of the  
14 following criteria:

15 (1) a person receives a serious second-degree burn or a  
16 third degree burn, but not a radiation burn, to 10% or more  
17 of the person's body as a whole;

18 (2) a person sustains a burn to the upper respiratory  
19 tract or occurring laryngeal edema due to the inhalation of  
20 superheated air;

21 (3) a person sustains any burn injury likely to result  
22 in death; or

23 (4) a person sustains any other burn injury not  
24 excluded by subsection (c).

1 (b) The oral report shall consist of notification by  
2 telephone to the Office of the State Fire Marshal using a  
3 toll-free number established by the Office of the State Fire  
4 Marshal for this purpose.

5 (c) A hospital's administrator, manager, superintendent,  
6 or his or her designee deciding to report under this Act shall  
7 not report any of the following burn injuries:

8 (1) a burn injury of a first responder, as defined in  
9 Section 3.60 of the Emergency Medical Services (EMS)  
10 Systems Act, sustained in the line of duty;

11 (2) a burn injury caused by lighting;

12 (3) a burn injury caused by a motor vehicle accident;

13 or

14 (4) a burn injury caused by an identifiable industrial  
15 accident or work-related accident.

16 Section 10. Report contents. The report shall consist of  
17 the following reported information to the extent available:

18 (1) Name, address, and date of birth of the victim.

19 (2) Address where the burn injury occurred.

20 (3) Date and time of the burn occurrence.

21 (4) Degree of burn injury, percentage of the body  
22 affected by the burn injury, and the specific area of the  
23 body affected by the burn injury.

24 (5) The name and address of the facility treating the  
25 patient.

26 Section 15. Confidentiality. Information collected in  
27 these reports that could identify the hospital, any health care  
28 professional, any hospital staff, or the patient shall remain  
29 confidential and only be divulged as needed in the  
30 investigation or prosecution of a criminal offense. No  
31 information shall be included in the report naming or  
32 identifying any health care professional or hospital staff. The

1 hospital medical records shall only be disclosed in accordance  
2 with Illinois law and the federal Health Insurance Portability  
3 and Accountability Act of 1996 and its rules.

4 Section 20. Good faith. With the exception of willful and  
5 wanton misconduct, any individual who in good faith acts in  
6 accordance with the terms of this Act or assisting in reporting  
7 shall not be subject to any civil or criminal liability or  
8 discipline for unprofessional conduct.

9 Section 25. Application. This Act applies only to hospitals  
10 that treat a patient initially for a burn injury. This Act does  
11 not apply to a hospital that receives a patient who has been  
12 transferred for a burn that was initially treated at another  
13 hospital. Nothing in this Act shall be construed to require a  
14 hospital to report burn injuries.

15 Section 30. Public information campaign. The Office of the  
16 State Fire Marshal shall conduct a public information campaign  
17 working in conjunction with hospitals, physicians, and law  
18 enforcement to inform hospitals of the opportunity to report  
19 burn injuries to the toll-free number maintained by the Office  
20 pursuant to this Act.

21 Section 300. The Regulatory Sunset Act is amended by adding  
22 Section 4.19a as follows:

23 (5 ILCS 80/4.19a new)

24 Sec. 4.19a. Act repealed on January 1, 2009. The following  
25 Act is repealed on January 1, 2009:

26 The Burn Injury Reporting Act."